

Official Minutes for Webb County Commissioners Court Meeting

Monday, June 27, 2005 at 1:00 PM and
continuing Tuesday, June 28, 2005 at 1:00 PM

(Approved 07-25-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 24th of June 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by all

- Item No. 4 Approval of minutes – May 23, 2005

Cmr. Gutierrez motioned to approve the minutes as presented. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Mr. Louie Saucedo, Treasurer's Department, presented the monthly Treasurer's Report ending May 31, 2005.

Cmr. Gutierrez motioned to approve the monthly Treasurer's Report as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 6 Communications

Comr. Gutierrez advised the public that the Sisters of Mercy held their chapter seminar in Laredo last week. She stated that they were very impressed with the facilities at TAMU as well as the San Carlos colonia. She congratulated the local chapter of the Sisters of Mercy for the great job they did in preparing the seminar. She stated that there were 325 sisters representing eleven countries and one territory. She stated that she attending the grand opening of Iglesia Cristiana Misericordia and congratulated Pastor Felix Veliz for the wonderful ministry and new building. She also congratulated them for the wonderful work that they have done with the youth, men's and women's groups.

Judge Bruni stated that he was also present at the grand opening of Iglesia Cristiana Misericordia and also congratulated Pastor Veliz. He stated that he was given a pamphlet highlighting the services available and stated that he would like to address the issue of the road conditions by the church.

Comr. Garza wanted to remind all county employees of the Safety Fair to be held on Thursday from 8 am to 12 noon. He stated that the fair was being sponsored by the Risk Management department and stated that this fair was geared towards all departments, not just those with a higher risk of accidents.

Item No. 7 Public Comment

Judge Bruni requested that the three minute limit be strictly enforced due to the large number of items on this agenda.

Comr. Sciaraffa motioned to strictly adhere to the three minute limit. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Phil Martin was present to address the court. He stated that he didn't feel that getting more weapons was the solution to the growing violence problems. He stated that Ms. Betty Flores, City of Laredo mayor, did not have the skills necessary to properly deal with the issue of violence. He stated that proper leadership is needed to communicate and work towards a solution rather than instill fear in the community.

Mr. Adolfo Campero, Jr. was present to address Item No. 8. He stated that he represented the Camino Texas Partnership. He stated that he did not represent Camino Colombia, Mr. C. Y. Benavides or the State of Texas. He stated that Camino Texas Partnership purchased the Camino Colombia Toll road at auction in 2004 and sold it 6 months later. He stated that the toll road was not in their possession on January 1st and therefore they could not be held accountable for any property taxes. He stated that if the county were to re-file their claim and include Camino Texas Partnership, they would be filing a frivolous lawsuit and stated that his client's were prepared to file a sanction claim against the county.

Ms. Raquel Mendiola was present to address the court. She stated that she would like to thank the Court and Road and Bridge Department on behalf of the citizens of Mirando City for their assistance in the removal of debris. She stated that they appreciate the continued assistance between Webb County and the residents.

Ms. Edith Hinojosa was present to address the court. She thanked the court for their assistance in obtaining an emergency order to repair their roads. She thanked Cmr. Gutierrez for her professionalism and honesty in getting this work done. She stated that Judge Bruni had stated in a television show that the contamination issue was being used as a political issue against him and stated that though she was happy to see that he recognized this problem, her concern was his reasoning behind it.

Ms. Ninfa Carrizales was present to address the court. She inquired as to whether the private roads were contaminated as well as the public roads.

Ms. Edith Hinojosa was present to address the court on behalf of Ms. Ninfa Carrizales. She stated that the question that Ms. Carrizales had was whether the contaminated soil was used on private roads or just public roads. She also stated that if the soil was not contaminated as some people have been saying, why did TCDQ issue an order that the soil was to be removed immediately. She stated that neither Judge Bruni or Hanlon have addressed this issue to the residents who want to know the origin of the soil and why Judge Bruni sent out his machines to repair the road when it was the responsibility of the Road and Bridge department and had already been approved in an emergency order.

Judge Bruni stated that it was not the fault of Bruni Electric that contaminated soil was purchased by Hanlon

Mr. Tomas Rodriguez, County Engineer, stated that in 2002, Hanlon created A-1 Investors, who then went before TCDQ for permission to sell their soil. He stated that the soil needed to be modified through chemical changes in order to meet specific TCDQ criteria. He stated that several substances were found in tests conducted by Webb County as well as those conducted by the State. He stated that TCDQ then went to A-1 Investors to advise them that the soil had to be removed due to the contamination. He stated that A-1 Investors did not agree with the findings and did not pick up the soil or accept it at their yard. He stated that TCD hired subcontractors and Webb County provided three (3) dump trucks to remove the soil.

Ms. Maria T. Gutierrez was present to address the court. She stated that she and other residents wanted to know the status of Mr. Francisco Gonzalez's case. She stated that there were several colonia residents present to support and congratulate Cmr. Gutierrez but that there were also several residents who wanted justice for the wrongful termination of Mr. Gonzalez.

Mr. Nathan Bratton, Assistant County Attorney, advised the court that this discussion was dealing with an item not posted on the agenda.

Ms. Gutierrez stated that Cmr. Gutierrez has shown a lot of favoritism towards her former and current secretaries. She stated that Ms. Juanita Puente, her current secretary, sued the county and received a large settlement and was now working with the county again. She stated that Ms. Alice Medina, Larga Vista Community Center Director, has not done anything for the residents of Large Vista. She stated that a family recently lost their home in a fire and to date nothing has been done to assist them. She stated that she will not let this issue go away and will come back to the court over and over again until this issue is addressed. She stated that Cmr.

Garza should use his journalistic background to ask what the residents want and what is being done to help them.

Ms. Gonzalez was present to address the court. She stated that her father, Francisco Gonzalez, was terminated unjustly by the court without receiving any reprimands beforehand. She stated that no status or update has been given on the ongoing investigation. She stated that this has not only affected her father but the residents of Larga Vista as well. She stated that he should have been given the option of taking Administrative Leave while the investigation was conducted.

Ms. Teresa Wright was present to address the court. She thanked the court for giving her the opportunity to address her concerns. She stated that Cmr. Gutierrez had commented at the last meeting that Ms. Maria T. Gutierrez was a friend of Mr. Francisco Gonzalez and wanted her to know that the entire colonia was a friend of Mr. Gonzalez. She stated that a home burned down about two weeks ago and nothing has been done. She stated that if Mr. Gonzalez had been there, he would have done everything in his power to assist the family. She stated that Mr. Gonzalez could be contacted at any time of the day and was more than happy to assist but that Ms. Medina has not provided a cellular or telephone number where she can be contacted besides the office. She asked the court to reconsider Mr. Gonzalez's termination and allow him to be reinstated to his position.

Ms. Maria Alicia Villa was present to address the court. She stated that she was present to address the injustice done to Mr. Francisco Gonzalez and when the investigation would be completed. She requested that the court reconsider Mr. Gonzalez's termination.

Judge Bruni stated that the investigation has not been completed but that he would place an item on the agenda to address the investigation once it has been completed.

Mrs. Margie Ramirez Ibarra, County Clerk, was present to address the court. She presented Cmr. Cortez-Brunner with her Certificate of Commission and Identification Card sent to her by the Secretary of State due to her appointment as Commissioner Pct. 4.

Mr. Anthony Peterson signed up for Public Comments but was not present when called.

RECESS (2:25 PM to 2:38 PM)

Item No. 8 Report from tax collection attorneys, Cavazos, Morales, Tijerina & Montemayor, regarding dismissal of tax collection suits and why recourse was not sought as against any responsible parties other than the State of Texas, with discussion and possible action to direct the tax attorney's to file a motion for a new trial naming as parties those against whom the tax indebtedness may be satisfied.

Mrs. Ana Laura Cavazos-Ramirez, Delinquent Tax Attorney, was present to address the court. She stated that she would address some issues in an open forum and

requested that other issues be addressed in Executive Session. She stated that Camino Texas Partnership formed a separate partnership to purchase the Camino Colombia Toll road at auction and sold it to the State of Texas approximately four months later. She stated that the State of Texas admitted to taking over property and assumed responsibility for the tax liens knowing that they could not be forced to pay the taxes owed and did not waive sovereignty to allow the county to collect on those taxes. She stated that Camino Texas Partnership did not own the property on January 1st and therefore were not liable for any taxes. He stated that Camino Colombia was the owner of the property on January 1st. She stated that there were several documents submitted to the court but that the total amount due is still unknown since there were several individual parcels and some were consolidated. She stated that if they are able to, they will file a claim against Camino Colombia and if possible, the original land owners. She stated that as per Mr. C.Y. Benavides, Camino Colombia president, the delinquent taxes were paid when the property was foreclosed. She requested permission from the court to dismiss the case against the State of Texas and Camino Texas Partnership but file a motion to include Camino Colombia and possibly the original land owners. Judge Bruni stated that the taxes owed needed to be paid and feels that if the owners of the toll road are able to pay, they should come forward and pay what they owe. He stated that it was unjust for someone with little or no resources to have to lose their home due to delinquent taxes when someone who is able to pay their taxes doesn't and get away with it. Mrs. Cavazos-Ramirez stated that former Cmr. David Cortez was adamant when their contract was approved that no homes be foreclosed if the owners were willing to make arrangements. She stated that in the time that they have been the County's delinquent tax attorneys, they have not foreclosed on any homes but that if a home is foreclosed by another entity, they are obligated to file a claim against the homeowners as well to be able to collect any taxes due. Ms. Patricia Barrera, Tax Assessor Collector, stated that when a property is sold, the taxes follow the property and that ownership by the appraisal district is not changed until the proper documentation is filed. She stated that when agricultural land is changed to residential or business, a tax rollback is done and taxes are charged at 100% versus the 10% charged when used as agricultural land. Cmr. Gutierrez stated that the court needed to do what was right and stated that they cannot allow some persons to not pay their taxes while requiring everyone else to. Mrs. Maria Elena Morales, Delinquent Tax Attorney, stated that they are not representing U.I.S.D. in this matter, only Webb County.

Judge Bruni motioned to reinstate the lawsuit against Camino Colombia and possibly the original land owners. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action to transfer surplus furniture from the office of Constable Agustin "Tino" Juarez, Pct. 4, to the Veterans Coalition Museum.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Status report on contract for construction of the new radio tower with discussion and possible action to direct staff to take steps as necessary to complete the project in a timely fashion.

Mr. Nathan Bratton, Assistant County Attorney, stated that the contract was received on Thursday and they are currently reviewing some items. He stated that they are looking into several issues regarding the demolition of the old tower and will bring the contract within two weeks. Judge Bruni stated that there needed to be contract communication within law enforcement and wanted contract ready for his signature within two weeks and have construction begin immediately. He stated that this item dealt with the issue of public safety. Mr. Mario G. Cavazos, Radio Communications Director, presented Mr. Randy Sorrel and Mr. Rene De La Cruz who were present to address any concerns that the court may have. Mr. Sorrel stated that an inspection report was submitted on October 2003 regarding the condition of the tower. He stated that the only issue at the moment is the bonding company will be working with the attorney regarding the possibility of placing a Mechanic's Lien that would be released upon completion of the project in lieu of a bond. Mr. Eloy Ramirez, Purchasing Agent, stated that by statute, for a project of this size two bonds were required: a performance bond and a payment bond. He stated that he would not recommend a waiver of the bond requirements. Mr. Bratton stated that the statute was very specific and that it may be possible to substitute a cash bond. He stated that they would be as flexible as possible. Mr. Cavazos advised the court that the current lease with Autophone for use of their tower is temporary and for emergency use only and only after approval from FAA. He stated that the approvals are generally given for only three months use. Mr. Sorrel stated that they would be looking into another bonding company for a possible bond and should get a response at the end of the week.

Cmr. Gutierrez motioned to move up Item No. 17, No. 18, No. 19, No. 20, No. 21 and No. 22. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 31, No.32 and No. 33 after the above items are taken. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17 Discussion and possible action to approve the following line item transfers:

From:	001-2060-6202	Uniforms	\$ 2,000
To:	001-2060-5605	Special Travel	\$ 2,000

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18 Discussion and possible action to authorize Webb County Purchasing Agent to solicit bids for a commissary service contract at the Webb

County Jail, with instructions to Webb County Purchasing Agent to submit such sealed bids to the Webb County Commissioners Court.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to approve the submission of a grant application to the Office of the Texas Attorney General for Crime Victims Services Funding under the funding category of Victim Coordinator and Liaison Grants (VCLG) for a projected funding request level between \$20,000- \$39,000 with an in-kind match of ten (10%, or between \$2,200-\$4,333) percent for direct victim services and/or victim services training and authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Victim Coordinator and Liaison Grants (VCLG) program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Rick Flores, County Sheriff, stated that both his office and the District Attorney's were going to apply for this same grant. He stated that after some negotiations, the District Attorney's office will pursue this grant and requested that this item be tabled.

Cmr. Gutierrez withdrew her motion. Cmr. Sciaraffa withdrew his second.

Cmr. Sciaraffa motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to approve the submission of contract extension request for the Homeland Security Overtime Grant # 2003 OMWX0058 (grant start date of September 1, 2003) to expend \$15,732 in overtime funds with a cash match of \$5,244 in order to allow the County of Webb to remain in good standing with the Department of Justice.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to approve the submission of a grant application to the Office of the Texas Attorney General for Crime Victims Services Funding under the funding category of Other Victim

Assistance Grants (OVAG) for a projected funding request level between \$20,000- \$50,000 with an in-kind match of twenty (20%, or between \$5,000-\$12,500) percent for direct victim services and/or victim services training and authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Other Victim Assistance Grants (OVAG) program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action to request funds for the following line items in order to continue operation for this fiscal year:

001-2062-6714	Medical Services	\$ 183, 000
001-2062-6209	Medicines	\$ 50, 000

Cmr. Gutierrez motioned to approve item as submitted.

Cmr. Sciaraffa inquired as to what the funding source for these funds would be. Mr. Raul Casso, Chief of Staff, stated that the funding source has not been determined. Cmr. Gutierrez inquired whether it would be possible to continue to allow spending on these accounts even if there are no funds available and then replace the monies at the end of the year with any savings that there may be in other accounts. She stated that they have to continue to pay for these services. Mr. Rick Flores, County Sheriff, stated that a study requesting an increase in the per diem pay for federal inmates has been submitted but that it would take some time to get a response.

Cmr. Gutierrez amended her motion to continue to pay these line items and allow the County Auditor, subject to his coming back, to locate a funding source. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to approve the following line item transfer:

From:	001-1100-6402	Repairs and Maintenance Equipment	\$2,000.00
To:	001-1100-6010	Books and Subscriptions	\$2,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32 Discussion and possible action to approve the following Resolution authorizing the submission of a the grant application for the Victim Coordinator Liaison Grant to the Office of the Attorney General, for an

amount not to exceed \$39,000.00 and authorizing the County Judge to act as the County's Executive Officer and authorized representative in all matters pertaining to the County's participation in the other victim assistance program.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to approve the following Resolution authorizing the submission of a the grant application for the Victim Coordinator Liaison Grant to the Office of the Attorney General, for an amount not to exceed \$50,000.00 and authorizing the County Judge to act as the County's Executive Officer and authorized representative in all matters pertaining to the County's participation in the other victim assistance program.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Mr. Joe Rubio, District Attorney, both his office and the Sheriff's were going to apply for this same grant. He stated that after some negotiations, the Sheriff's office would pursue this grant and requested that this item be tabled.

Comr. Sciaraffa withdrew his motion and motioned to table this item. Comr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action for Commissioners to appoint their designees to the International Advisory Trade Committee.

This item was deferred to the next meeting.

- Item No. 12 Discussion and possible action to direct the County Attorney to provide the court with a list of all outstanding, un-executed contracts that are being prepared or are otherwise pending in the County Attorney's office.

Judge Bruni stated that his office was already provided with a list and that no further action was required.

- Item No. 13 Status report by Road and Bridge Superintendent, Mr. Jose Luis Ramos, regarding present garbage collection services being provided to Webb County communities, with discussion and possible action to direct the superintendent to conduct his garbage collection efforts

where and as determined by the court, and any other matters incident thereto.

Mr. Jose Luis Ramos, Road & Bridge Superintendent, stated that Webb County has done garbage collection for several schools for almost 11 years or at least since he has worked there. Cmr. Sciaraffa stated that if this has not been approved by the court, it needed to be stopped or there should be a fee charged. Cmr. Gutierrez stated that this has been done for longer than that and remembers that it was being done when Mr. Cliff Wilson was the Road and Bridge Superintendent. She stated that at the time, Mr. Benavides would allow the county to use a landfill on his property to dispose of this refuse. Mr. Ramos stated that it was only used for branches and leaves, not household garbage. Mr. Nathan Bratton, Assistant County Attorney, stated that the school can contract with a private company or Webb County for a fee set by the court, if any.

Cmr. Sciaraffa motioned to stop all garbage pick up on private property and schools.

Cmr. Cortez-Brunner questioned why the Road & Bridge department was going into private property and schools to pick up garbage. Mr. Bratton recommended the issuance of a notice to the residents.

Cmr. Sciaraffa withdrew his motion and motioned to have Mr. Ramos submit a list of where garbage pick up is done. Mr. Carlos Villarreal, Executive Administrator, stated that they will come before the court within 30 days with a policy that would support a fee for garbage pick up for the approval by the court.

Cmr. Cortez-Brunner stated that 30 days was too long to wait. She stated that the employees doing the garbage pick up are being exposed to health hazards due to unlined garbage cans and other hazards. Cmr. Garza stated that he agreed with the need to charge for garbage pick up for private organizations and private roads. He stated that it was not fair to have the taxpayers subsidize the services for other. He stated that his concern was trading one health hazard for another. He stated that on one side there is the risk to the employees who pick up the garbage and on the other hand is the health hazard that would be created if the garbage is not picked up. Cmr. Gutierrez stated that the court needed to see what could be done. She stated that as per a County Attorney's opinion that she requested, trash collection could be done for those who were issued garbage containers regardless of whether they lived on public or private roads. Cmr. Cortez-Brunner stated that her main concern was about having some colonias receiving services over others. Cmr. Gutierrez stated that the needs of one colonia could be compared to the needs of others. She stated that the residents of Precinct 2 should not be punished due to a higher need of services. Cmr. Cortez-Brunner requested that the colonias in Precinct 4 be included in the trash pick up schedule. Cmr. Sciaraffa questioned why garbage pick up was done on Mangana Hein in La Presa only once a week while other places in Pct. 2 were done twice or three times a week. He also questioned why it was possible to pick up garbage on private roads but not repair them. Cmr. Gutierrez stated that the county is able to provide this service as per the Health and Safety Code since not picking up the garbage would result in a possible health hazard. She stated that she would like Mr. Ramos to include in his next report the number of people being serviced in every precinct. She stated that it takes less time to service 10 people versus 100 which is why the colonias in Pct. 2 take more time. Judge Bruni stated

that he would like to work an interlocal agreement with the school district and would like for a report to be submitted to the court on a master schedule to service all areas of the county. Cmr. Sciaraffa also requested that the trash bins be placed on county ROWs to avoid going into private property. Mr. Ramos stated that the majority of the refuse picked up is yard waste but there are times when construction waste is included due to remodeling work being done.

Cmr. Sciaraffa amended his motion to include providing trash bins at the school district on the county's ROWs, have the school provide trash liners and submit a schedule including all precincts at the next meeting. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Report by Road and Bridge Superintendent regarding recent clean-up and/or maintenance efforts conducted at the Mirando City area, costs for the same, with discussion and possible action to conduct clean up and maintenance efforts as directed by the court, and any other matters incident thereto.

Mr. Jose Luis Ramos, Road & Bridge Superintendent, was present to address the court. He stated that the dipping fees for the recent clean up at Mirando City were \$5,000, similar to the cost every month. He stated that it was slightly higher due to the higher number of people who were in Mirando City for their annual reunion. Cmr. Gutierrez stated that the first week of every month is the scheduled clean up for Mirando City and the only difference this time was that the Mirando City clean-up was moved up. She stated that the cost fluctuates due to the tippling fees. Mr. Ramos stated that it usually takes approximately six days for the clean up at Mirando City and is done every month. Cmr. Gutierrez stated that this clean up benefits the public, not one individual commissioner. She stated that the clean up was part of the schedule but was only switched with another location. She stated that when a clean up campaign is done to this extent, the following clean up takes less work and that this is a very efficient way to do this. Cmr. Sciaraffa expressed concerns about doing this type of work for reunions and on private property. Cmr. Gutierrez stated that the only thing done out of the ordinary was the acceleration of work done since the reunion was taking place that week. She stated that the work was already scheduled and included in the budget. Cmr. Garza stated that the higher workload for city employees is quantified after city holidays since the work piles up and feels that the same thing occurred since there were more people which resulted in a higher load of trash for pick up. He stated that the county needed to come up with a comprehensive plan to include the entire county.

RECESS (4:34 PM to 4:42 PM)

Cmr. Sciaraffa motioned to move up the Addendum items. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present for voting.

Addendum

Item No. 1 Discussion and possible action to have Webb County Purchasing Agent request competitive, sealed bids for food and janitorial products for Webb County Jail, with instructions to Webb County Purchasing Agent to submit such sealed bids to Webb County Commissioners Court.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Cmr. Garza requested that the court select a committee to include a Sheriff's representative to review these bids.

Cmr. Sciaraffa amended his motion to include having the court select a committee to include a Sheriff's representative to review the bids. Cmr. Cortez-Brunner amended her second.

Motion carried 4-0 with Cmr. Gutierrez not present for voting.

Addendum

Item No. 2 Discussion and possible action to retain the services of La Paleteria La Chueca to operate at the Webb County Jail for a period of 120 days.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Nathan Bratton, Assistant County Attorney, stated that the court needed to include an order granting an exemption from competitive bidding.

Cmr. Sciaraffa amended his second to include an order granting an exemption from competitive bidding. Cmr. Cortez-Brunner amended her second.

Motion carried 5-0 by unanimous consent.

Item No. 15 Discussion and possible action to authorize expenditure of approximately \$60,000 from Precinct 4 Park Development Funds (Fund 658, Series 2003) for the construction of shelters for two Splash Parks, and to authorize development of Intergovernmental Agreement with the City of Laredo to accomplish same.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Cortez-Brunner stated that Councilman Valdez had a great idea to create these parks but that adequate shelter was necessary due to the local heat.

Motion carried 5-0 by unanimous consent.

Item No. 16 Status report regarding the road improvements made pursuant to Commissioners Court Emergency Order of March 14, 2005.

Mr. Jose Luis Ramos, Road & Bridge Superintendent, was present to address the court. He stated that the work was started on March 16 and completed on May 20. He stated that all roads have been completed except for Camino Bolivar which was started on June 17 and 18 and would be completed by tomorrow. He stated that the road was delayed since TCDQ did not allow them to work on the road until the contaminated soil was removed. He stated that as per TCDQ, no extension of the Emergency Order was needed since the delay was required by TCDQ. Cmr. Gutierrez stated that she wanted the public to be aware that if not for the delay, the project would have been completed approximately one month ago. She stated that there are continued contamination reports being given by local residents, included nose bleeds and rashes. Mr. Tomas Rodriguez, County Engineer, stated that TCDQ hired a private contractor whose testing showed that the contaminated soil had been removed. Cmr. Gutierrez stated that she did not want the county to be held liable since they did not place the contaminated soil. She also wanted the public to be aware that the project took less time than given by the court.

Item No. 23 Discussion and possible action to approve the following line item transfers:

From:	001-6001-6401	Repairs & Maintenance	\$ 9,500.00
	001-6001-6402	Repairs & Maintenance Equipment	\$ 2,000.00
To:	001-6001-6201	Utilities	\$11,500.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

Item No. 24 Discussion and possible action to approve the submission of the annual Budget plan, general order and public notice, for the Community Services Block Grant (CSBG) to the Texas Department of Housing & Community Affairs (TDHCA), for FY-2005, in the amount of \$452,524. This includes the first allocation \$219,197.00 that was approved by Commissioners Court on February 14, 2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

Item No. 25 Discussion and possible action for the Commissioners Court to approve/reject the following line item transfer:

FROM:	Administrative Travel	001-2502-5601	\$1,000.00
TO:	Equipment Rental	001-2502-6014	\$500.00
	Materials and Supplies	001-2505-6205	\$500.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 26 Discussion and possible action to accept one (1) right-of-way, out of Laredo Ranchettes, Inc. Subdivision, two rights-of-way out of Pueblo Nuevo Subdivision, two rights-of-way out of D-5 Acres Subdivision, one (1) right-of-way out of Ranchitos IV-Los Minerales Subdivision, two rights-of-way, out of Ranchos Penitas West Subdivision and one (1) right-of-way out of Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 27 Discussion and possible action to enter into an "Alarm System Purchase and Signal Monitoring Services Agreement" with Argus Security Systems for Webb-Zapata County District Attorney Multi-Agency Task Force office for a period of thirty-six (36) months (June 23, 2005 through June 22, 2008) at quarterly payments of SEVENTY-TWO DOLLARS (\$72.00) to equal to a total of EIGHT HUNDRED AND SIXTY-FOUR DOLLARS (\$864.00) over the term of the agreement and authorizing the County Judge to sign all relevant documents.
[Requested by Webb-Zapata County District Attorney Multi-Agency Task Force, Account No. 297-1100-6402 (Equipment Maintenance)].

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 28 Discussion and possible action authorizing the submission of a Part I of a Grant Application to the Texas Department of Transportation, for "Public Transportation Division (PTN)" state and federal funds for Grants 5303, 5307, 5309, 5310, 5311, and 3037 for the El Aguila Rural Transit and any matters incident thereto. [Requested by the Community Action Agency Rural Transportation Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Nathan Bratton, Assistant County Attorney, stated that the in-kind services provided will not be paid by the federal government.

Motion carried 5-0 by unanimous consent.

Item No. 29 Discussion and possible action to enter into a Memorandum of Agreement with Texas A&M Research Foundation to provide classroom and related space to Literacy Programs at the Larga Vista Community Center for a one (1) year term beginning September 1, 2004 through August 31, 2005 for a total cost, in - kind services, representing EIGHTY THOUSAND DOLLARS AND NO CENTS (\$80,000.00) and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to reorganize the following slots in general order of personnel without any impact to budgeted amount to general order:

From:	To:
Slot 1450, Chief CPO/Investigator	MVD Investigation Supervisor
No Salary Change	No Salary Change
Slot 1705, Investigator	No title change
Salary from \$14.54/hr. (\$30,244)	\$11.82/hr. (\$24,584)
Slot 139, Deputy Tax Collector	No title change
Salary from \$11.96/hr. (\$24,868)	\$11.82/hr. (\$24,584)
Slot 136, Mail Room & Supply Inv. Mgr.	No title change
Salary from \$1,113.64/biweekly (\$28,955)	\$937.14/biweekly (\$24,366)
Slot 131, Deputy Tax Collector	Asst. Supervisor, Special Taxes
Salary from \$13.66/hr. (\$28,408)	\$1,263.75/biweekly (\$32,858)
Slot 1248, Sup.Req. & Stg.Ctr.Clk.	No title change
Salary from \$9.72/hr. (\$20,214)	\$10.51/hr. (\$21,861)
Slot 1863, MVD Investigation Clerk	Deputy Tax Collector, VIT
Salary from \$9.25/hr. (\$19,240)	\$11.38/hr. (\$23,676)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Ms. Patricia Barrera, Tax Assessor Collector, stated that this would have no effect on the budget and that no employee would be getting a decrease.

Motion carried 5-0 by unanimous consent.

Item No. 34 Discussion and possible action to approve resolution authorizing the Honorable Louis H. Bruni, Webb County Judge, Honorable Frank Sciaraffa, Commissioner, Precinct 1, and the Honorable Cindy Cortez Brunner, Commissioner, Precinct 4, to be designated as authorized signatories for the Office of Rural Community Affairs Program, Texas Community Development Program, 2005/2006 Community Development Project.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action to submit Services to Unaccompanied Alien Children grant application to the U.S. Department of Health and Human Services Office of Refugee Resettlement in the amount of \$400,000.00 for a one-year period with no local match.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to authorize the Purchasing Agent to solicit Request for Proposals (RFP) for Architectural Services for the design, preparation of construction drawings and provide construction administration for the construction of the Community Center at Penitas West.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to approve an Inter-Local Agreement with the City of Laredo for the Tanquecitos I Sanitary Sewer System construction Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Juan Vargas, Economic Development Director, requested that the court defer this item until the City and County Attorney can discuss the details.

Cmr. Gutierrez withdrew her motion. Cmr. Sciaraffa withdrew his second.

Cmr. Sciaraffa motioned to defer this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action Authorizing Deduct Change Order No. 4 to Satterfield & Pontikes Construction, Inc., to delete the construction of the raw water intake structure, raw water pump station, demolition of old plant and cleaning of ponds in the amount of \$779,219.00 and completion date of October 15, 2005.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and Possible Action Authorizing the Transfer of Funds in the Engineering Department:

FROM:	010-0115-5601	Administrative Travel	\$1,000.00
	010-0115-5602	Local Mileage	\$1,000.00
TO:	010-0115-6001	Office Supplies	\$1,000.00
	010-0115-6205	Materials & Supplies	\$1,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and Possible Action Authorizing Final Payment and Retainage to C. G. Construction in the amount of \$11,030.32 for the Justice Center Remodeling.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41 Discussion and Possible Action Authorizing Final Payment of the retainage in the amount of \$10,000.00 to Zertuche Construction for the Oilton & Mirando Community Center Parks.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42 Discussion and possible action to approve the Head Start One Time Fund Application for Fiscal Year 2005 - 2006 (September 1, 2005 through August 31, 2006). Amounts are \$165,000 (Priority I – Safe Surfacing Tiles), \$175,000 (Priority II – Rubber Floor Tiles), and \$40,000 (Priority III – Kitchen Equipment) for a total of \$380,000 (federal) and \$95,000 (in-kind), and a Grand Total of \$475,000.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action to approve the Head Start Supplemental Application for Fiscal Year 2005 - 2006 (September 1, 2005 through August 31, 2006). Amounts are \$76,591 (Cost of Living) and \$19,148 (in-kind), for a Grand Total of \$95,739.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to approve the following line item transfer:

From:	001-4100-6714-2	Prescription Drugs	100,000.00
	001-4100-6714-4	Hospital Out-Patient Services	100,000.00
To:	001-4100-6714-3	Hospital In-Patient Services	150,000.00
	001-4100-6714-5	Laboratory / X-Ray Services	50,000.00

- Item No. 45 Discussion and possible action to approve the following line item transfer:

From:	001-4101-6022	Professional Services	4,000.00
To:	001-4101-5601	Administrative Travel	1,000.00
	001-4101-6204	Fuel & Lubricants	800.00
	001-4101-6205	Materials & Supplies	2,000.00
	001-4101-6403	Repairs & Maintenance Vehicle	200.00

- Item No. 46 Discussion and possible action to approve the following purchase from Department Capital Outlay:

660-4101-8801 HP LaserJet 1300 Series Printers (5) Printers @ \$400.00 \$2,000

Cmr. Sciaraffa motioned to approve Item No. 44, No. 45 and No. 46 as submitted. Cmr. Cortez-Brunner seconded the motion.

Cmr. Garza inquired whether there were sufficient funds to cover the transfers and upcoming expenses. Mr. Frank X. Salinas, Indigent Services Director, stated that there were sufficient funds.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Discussion and possible action to approve the following line item transfers:

From:	001-1102-5601	Administrative Travel	\$1,000.00
	001-1102-5602	Local Miles	\$1,500.00
	001-1102-6007	Dues & Membership	\$ 800.00
To:	001-1102-6022	Professional Services	\$3,300.00
From:	001-1102-5601	Administrative Travel	\$1,200.00
	001-1102-6900	Expert Witness	\$ 100.00
To:	001-1102-6014	Equipment Rental	\$1,300.00
From:	001-1102-5601	Administrative Travel	\$1,000.00

	001-1102-6007	Dues & Memberships	\$1,000.00
To:	001-1102-6205	Materials & Supplies	\$2,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to approve the following transfer of funds in the amount of \$2,608.00, from Slot #270 to Slot #2087.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Leroy Medford, 1st Assistant Public Defender, stated that this would adjust the salary to be up to par with the other attorneys. Cmr. Gutierrez stated that there was tremendous disparity amongst the attorneys from the Public Defender's office and District Attorney's office and hopes that this can be resolved soon. Mr. Raul Casso, Chief of Staff, stated that there is disparity amongst the entire county but that they are working on what can be done. He stated that for the record and speaking from experience, defense work is more time consuming than prosecutorial.

Motion carried 5-0 by unanimous consent.

Item No. 49 Discussion and possible action to solicit bids for a two-way radio communications system & GPS automatic vehicle tracking and location device for the Webb County Head Start Program.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50 Discussion and possible action to issue a purchase contract to Reynolds in the amount of \$10,642.00 for classroom furniture for the Head Start Program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51 Discussion and possible action to award/reject the following Bids and Proposal:

Bid 2005-60 thru Bid 2005-62	"Rehabilitation Rio Bravo Housing"
Bid 2005-63	"Interior Repairs"
Proposal 2005-08	"Vela Tract Project"

Mr. Eloy Ramirez, Purchasing Agent, recommended the following vendors:

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 56 Discussion and possible action to approve the following line item transfer:

From:	Book and Subscriptions	001-6100-6010	\$1,000.00
To:	Local Mileage	001-6100-5602	\$1,000.00

Item No. 57 Discussion and possible action to approve the following line item transfer:

From:	Repairs & Maintenance Equipment	001-6100-6402	\$600.00
To:	Janitorial Supplies	001-6100-6502	\$600.00

Cmr. Gutierrez motioned to approve Item No. 56 and No. 57 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 58 Discussion and possible action to approve the following line item transfer:

From:	816-0105-6040	COBRA Administration	\$1,000.00
To:	816-0105-6701-01	Health Fair Month	\$1,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 59 Discussion and possible action to approve the following line item transfer.

From:	010-7002-6011	Training & Education	\$3,000.00
To:	010-7002-6014	Equipment Rental	\$3,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 60 Discussion and possible action to approve an increase in cellular minutes from 500 to 1500 for the Interim Superintendent for the Road & Bridge Department, Jose Luis Ramos. Retroactive from 4/19/05 to date

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Nathan Bratton, Assistant County Attorney, stated that Item No. 61 should be a contract with CCA, not CAA. He also stated that Item No. 62 would be taken via teleconference with the county's private counsel.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (5:20 PM to 5:48 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 61 Status report on contract with CAA for the housing of federal INS inmates, with discussion and possible action to approve the contract, and any other matters incident thereto [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, stated this item was a status report. He stated that the item should read "with CCA" not CAA.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 62 Discussion and possible action regarding a Settlement Agreement between the United States of America and Webb County, Texas under the Americans with Disability Act, DJ 204-74-293 and any matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, requested authorization to move forward with settlement.

Cmr. Gutierrez motioned to authorize the County Attorney's office to move forward with the settlement. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63 Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.